REMARKS/ARGUMENTS

Claims 1-7 and 20-36 remain in this application for further review. Claims 1, 5, 20, 23-25, and 27-33 are amended as set forth above. Claims 8-19, 22 and 26 are cancelled. No new matter has been added.

I. Rejection of Claims 1-7 and 29-36 Under 35 U.S.C. 112, Second Paragraph

Claims 1-7 and 29-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The claims have been amended as set forth above to clarify the invention. Applicants assert that the Examiner's concerns are obviated and the rejection should be withdrawn.

II. Comments Regarding the December 14, 2005 Office Action

Claims 1-7 and 20-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,721,558 issued to Saad (hereinafter "Saad") in view of U.S. Patent No 6,490,616 issued to Maryka et al. (hereinafter "Maryka"). This rejection and the reasoning behind this rejection have been maintained throughout the prosecution of this matter irrespective of applicants' disagreement with the same.

In the "Response to Arguments" section of the Office Action, the Office Action recites that "since the claims only require one configuration service provider to exist, the broadest reasonable interpretation of the claim would be that since there are no other configuration service providers, it is inherent that the configuration service provider is identified since there is only

one configuration service provider." Even though applicants believe that the claims are allowable as written, the claims have been amended as set forth above to clarify this point.

Claim 1 has been amended to recite the following combination of elements:

> a router component configured to receive a query document including a query statement related to ***application configuration settings***, the router component being further configured to route at least a portion of the query document;
>
> a ***plurality of configuration service provider components*** configured to access the application configuration settings; and
>
> a ***configuration manager component*** configured to:
>
> receive the at least a portion of the query document;
>
> ***identify at least one configuration service provider component of the plurality of configuration service provider components that is configured to access application configuration settings implicated by the at least a portion of the query document***;
>
> route the query statement to the at least one configuration service provider component ***for access to the application configuration settings implicated by the at least a portion of the query document.***

Claim 20 has been amended to recite the following combination of elements:

> receiving a configuration message including a payload identifying a particular setting stored on the mobile device;
>
> parsing the configuration message to identify the particular setting stored on the mobile device;
>
> ***determining at least one configuration component of a plurality of configuration components responsible for maintaining a particular setting***;
>
> passing the payload to ***the at least one configuration component responsible for maintaining the particular setting***; and
>
> retrieving, ***by the at least one configuration component***, a value associated with the particular setting stored on the mobile device.

Claim 25 has been amended to recite the following combination of elements:

receiving a configuration message from an initiator, the configuration message including a payload identifying a particular setting stored on the mobile device;

determining at least one configuration component of a plurality of configuration components responsible for maintaining the particular setting;

passing at least the payload ***to the at least one configuration component responsible for maintaining the particular setting***;

retrieving, by the ***at least one configuration component***, a value associated with the particular setting stored on the mobile device; and

returning a response document to the initiator of the configuration message, the response document including the retrieved value for the particular setting.

Claim 29 has been amended to recite the following combination of elements:

a router component configured to receive a query document including a query statement related to ***application configuration settings*** stored on the mobile device, the router component being further configured to route at least a portion of the query document; and

a ***configuration manager component*** configured to:

receive the at least a portion of the query document;

identify at least one configuration service provider component of a plurality of configuration service provider components that is configured to access application configuration settings implicated by the at least a portion of the query document; and

route the query statement to the ***at least one configuration service provider*** component for access to the application configuration settings implicated by the at least a portion of the query document.

Applicants assert that the above changes clarify the points indicated in the most recent Office Action. The distinctions associated with the prior art are more fully set forth below. Applicants believe that the claims are in condition for allowance and respectfully request the same.

III. The Saad Reference

A. The Cell Station Does Not Provide All The Functions Of The Configuration Manager As Propounded In The Office Action

The claims of the present invention recite ***a combination of elements*** that are not taught in the cited references. As is more fully set forth below (see Section II, above), elements of some of the claims include elements of a plurality of configuration service providers and elements of a configuration manager. Saad teaches a conventional cell tower. Regarding the cell station, Saad specifically teaches as follows:

> The cell station 300 preferably includes a processor 310 and related memory, such as a data storage device 320. Each of these components 310, 320 may function identically to those corresponding components described above in conjunction with FIG. 2. The data storage device 320 includes conventional functions 350 for communicating with cellular telephones 130 and the central control station 200. For a detailed description of conventional functions of a cell station 300, see, for example, U.S. Pat. No. 4,829,554, incorporated by reference above. In addition, the data storage device 320 includes conventional hardware component message protocols 360 for communicating with the hardware components 340A-340H installed, for example, on a rack 330 on the cell station 300. *Saad*, at col. 4, lines 11-25.
>
> As previously indicated, the cell station 300 may be embodied as a conventional cell station, such as the cell station described, for example, in U.S. Pat. No. 4,829,554, incorporated by reference herein. In this manner, the cell station 300 operates normally, forwarding the messages that are received from the central control station 200 to the hardware components, as required. Alternatively, the remote cell station 300 can be modified to progressively refine its own system configuration information, in accordance with the present invention, as would be apparent to a person of ordinary skill in the art. *Saad*, at col. 4, lines 26-36.

B. The Cell Station Does Not Parse The Request

The Office Action propounds that Saad must parse the request. Applicants cannot find any teaching whatsoever as to parsing in Saad. Contrariwise, Saad teaches an iterative process where the central control station sends a "guess configuration" to the cell station. The cell station

receives the guess configuration and then uses ***a predefined message*** to obtain the type and version ***of each hardware element*** of the cell tower. This information is then sent back to the central control station and analyzed. ***The central control station*** then uses this information to determine if the guess was correct. When the guess is correct, the central control station knows the configuration of the cell station. When the guess is not correct, the central control station sends another "guess configuration" to the cell tower and the cell tower resends the information. This process continues until the central control station has the correct guess. There is no teaching of parsing the request. This is evidenced by the fact that the cell tower sends the version and type information of ***each*** hardware component in response to a "guess configuration". This is also evidenced by the fact that the cell tower sends a ***predefined message*** in response to the "guess configuration". Saad cannot teach parsing when Saad specifically teaches that the cell tower sends a ***predefined message***. Saad specifically recites as follows:

> Generally, the system configuration process 500 initially ***assumes a system configuration*** having each of the slots 340A-340H installed with a default hardware component. The cell station communicates with the installed hardware utilizing a conventional message protocol associated with the default hardware component. The default "guess" is sent to the cell station 300. ***The cell station 300, in turn, then communicates with each of the hardware components using a predefined message.*** In an illustrative embodiment, the cell station 300 queries each of the hardware components for their associated type and version. In an alternate embodiment, the cell station 300 transmits a diagnostic command or another command to each of the hardware components. *Saad*, at col. 3, lines 17-31. Emphasis added.
>
> ...
>
> The responses from the actual installed hardware components are collected by the cell station 300 and ***returned to the central control station 200.*** The central control station 200 ***receives the responses*** during step 530. The returned responses provide information that ***can be used by the central control station 200 to help ascertain the type and version of the hardware component actually installed.*** For example, certain error responses may indicate an alternate guess for the installed hardware components. In addition, a failure to respond may indicate that no hardware is present at a given location or may further

suggest an alternate guess for the installed hardware components. ***In addition, other responses provide information that help to refine the assumed system configuration***. Saad, at col. 5, lines 5-18. Emphasis added.

IV. Claim Elements Not Taught Or Suggested By The Cited References

A. Claim 1

Claim 1 has been amended to recite the following combination of elements that are not taught by the cited references:

> a router component configured to receive a query document including a query statement related to ***application configuration settings***, the router component being further configured to route at least a portion of the query document;
>
> a ***plurality of configuration service provider components*** configured to access the application configuration settings; and
>
> a ***configuration manager component*** configured to:
>
> receive the at least a portion of the query document;
>
> ***identify at least one configuration service provider component of the plurality of configuration service provider components that is configured to access application configuration settings implicated by the at least a portion of the query document***;
>
> route the query statement to the at least one configuration service provider component ***for access to the application configuration settings implicated by the at least a portion of the query document.***

Applicants can find no teaching in the cited references of ***a plurality of configuration service providers***, let alone, a "configuration manager component configured to...***identify*** at least one configuration service provider, the configuration manager being further configured ***to route the query statement*** to the at least one configuration service provider component for access to the application configuration settings implicated by the at least a portion of the query document." Emphasis added.

B. ***Claim 6***

Applicants' claim 6 recites the following elements that are not taught or suggested by the cited references:

> "wherein the ***configuration manager*** is further configured ***to modify the query document based on the retrieved value of the setting.***"

Here, the references do not teach this limitation. Saad teaches sending that the "responses from the actual installed hardware components are collected by the cell station 300 and ***returned to the central control station 200.***" *Saad*, at col. 5, lines 5-7. Emphasis added. Moreover, Saad teaches "a failure to respond may indicate that no hardware is present at a given location or may further suggest ***an alternate guess*** for the installed hardware components." *Saad*, col. 5, lines 13-16. Emphasis added. Saad does not teach modification in any manner.

C. ***Claim 7***

Applicants' claim 7 recites the following elements that are not taught or suggested by the cited references:

> "wherein ***the query statement within the modified query document is modified to include the retrieved value of the setting.***"

Here, neither of the references teach nor otherwise suggest this limitation. Saad teaches sending that the "responses from the actual installed hardware components are collected by the cell station 300 and ***returned to the central control station 200.***" *Saad*, at col. 5, lines 5-7. Emphasis added. Moreover, Saad teaches "a failure to respond may indicate that no hardware is present at a given location or may further suggest ***an alternate guess*** for the installed hardware components." *Saad*, col. 5, lines 13-16. Emphasis added. Saad does not teach modification in any manner.

D. ***Claim 20***

Applicants' claim 20 recites the following elements that are not taught or suggested by the cited references:

> receiving a configuration message including a payload identifying a particular setting stored on the mobile device;
>
> parsing the configuration message to identify the particular setting stored on the mobile device;
>
> ***determining at least one configuration component of a plurality of configuration components responsible for maintaining a particular setting***;
>
> passing the payload to ***the at least one configuration component responsible for maintaining the particular setting***; and
>
> retrieving, ***by the at least one configuration component***, a value associated with the particular setting stored on the mobile device.

The cited references do not teach or otherwise suggest the aforementioned limitations. As set forth above, Saad does not teach "determining at least one configuration component of a plurality of configuration components responsible for maintaining a particular setting" and/or "parsing." This is evidenced by the fact that the cell tower sends the version and type information of ***each*** hardware component in response to a "guess configuration". This is also evidenced by the fact that the cell tower sends a ***predefined message*** in response to the "guess configuration". Saad cannot teach parsing when Saad specifically teaches that the cell tower sends a ***predefined message***. As best ascertained from Saad, the guess acts as a trigger to send all value and type information from each hardware component. The guess is not parsed.

Moreover, applicants can find no teaching or suggestion of "passing the payload to a configuration component", or "retrieving, by the configuration component, a value associated with the particular setting stored on the mobile device."

E. Claim 25

Applicants' claim 25 recites the following elemcnts that are not taught or suggested by the cited references:

> receiving a configuration message from an initiator, the configuration message including a payload identifying a particular setting stored on the mobile device;
>
> ***determining at least one configuration component of a plurality of configuration components responsible for maintaining the particular setting***;
>
> passing at least the payload ***to the at least one configuration component responsible for maintaining the particular setting***;
>
> retrieving, by the ***at least one configuration component***, a value associated with the particular setting stored on the mobile device; and
>
> returning a response document to the initiator of the configuration message, the response document including the retrieved value for the particular setting.

The aforementioned elements are not taught, suggested or otherwise mentioned in the cited references. The cited references do not mention "determining at least one configuration component of a plurality of configuration components responsible for maintaining the particular setting". Also, the cited art does not mention "passing at least the payload to the at least one configuration component", let alone "retrieving, by the at least one configuration component, a value associated with the particular setting stored on the mobile device."

F. ***Claim 29***

Applicants' claim 29 recites the following elements that are not taught or suggested by the cited references:

> a router component configured to receive a query document including a query statement related to ***application configuration settings*** stored on the mobile device, the router component being further configured to route at least a portion of the query document; and
>
> a ***configuration manager component*** configured to:
>
> receive the at least a portion of the query document;
>
> ***identify at least one configuration service provider component of a plurality of configuration service provider components that is configured to access application configuration settings implicated by the at least a portion of the query document***; and
>
> route the query statement to the ***at least one configuration service provider*** component for access to the application configuration settings implicated by the at least a portion of the query document.

Regarding claim 29, applicants rely on the arguments set forth in support for claim 1.

G. ***Claim 30***

Applicants' claim 30 recites the following elements that are not taught or suggested by the cited references:

> "a plurality of configuration service provider components associated with the application configuration settings and configured to access the application configuration settings, and wherein the configuration manager is further configured to identify the at least one configuration service provider based on information within the query document, and to pass the at least a portion of the query document to the at least one configuration service provider for processing."

The aforementioned elements are not taught, suggested or otherwise mentioned in the cited references. The prior art does not suggest a plurality of configuration service provider components. Also, the cited art does not mention a configuration manager, let alone, a

configuration manager "configured to identify at least one configuration service provider based on information within the query document, and to pass the at least a portion of the query document to the at least one configuration service provider for processing."

H. ***Claim 32***

Applicants' claim 32 recites the following elements that are not taught or suggested by the cited references:

" wherein the configuration manager is further ***configured to modify the query document based on the retrieved value of the application configuration setting.***"

Here, neither of the references teach nor otherwise suggest this limitation. Saad teaches sending that the "responses from the actual installed hardware components are collected by the cell station 300 and ***returned to the central control station 200.***" *Saad*, at col. 5, lines 5-7. Emphasis added. Moreover, Saad teaches "a failure to respond may indicate that no hardware is present at a given location or may further suggest ***an alternate guess*** for the installed hardware components." *Saad*, col. 5, lines 13-16. Emphasis added. Saad does not teach modification in any manner.

I. ***Claim 33***

Applicants' claim 33 recites the following elements that are not taught or suggested by the cited references:

" wherein the query statement within the modified query document is ***modified to include the retrieved value of the application configuration setting.***"

Here, neither of the references teach nor otherwise suggest this limitation. Saad teaches sending that the "responses from the actual installed hardware components are collected by the cell station 300 and ***returned to the central control station 200.***" *Saad*, at col. 5, lines 5-7.

Emphasis added. Moreover, Saad teaches "a failure to respond may indicate that no hardware is present at a given location or may further suggest *an alternate guess* for the installed hardware components." *Saad*, col. 5, lines 13-16. Emphasis added. Saad does not teach modification in any manner.

J. ***Claim 34***

Applicants' claim 34 recites the following elements that are not taught or suggested by the cited references:

> "wherein the ***router component is configured to receive query documents from a plurality of push sources, each push source being configured to interact with an external initiator of the query document.***"

Here, applicants assert that the cited references do not teach, suggest or otherwise mention the above limitations. Neither reference teaches "a plurality of push sources", let alone "a plurality of push sources, each push source being configured to interact with an external initiator of the query document."

K. ***Claims 2-5, 21, 23-24, 27-28, 31, 35-36***

Applicants assert that claims 2-5, 21, 23-24, 27-28, 31, and 35-36 include elements that are not taught or otherwise suggested by the cited references. Moreover, insofar as these claims depend from one or more of the claims recited above, applicants assert that they are allowable for at least the same reasons.

V. No Suggestion or Motivation to Combine the References

Applicants further maintain that there is no suggestion or motivation to combine the references as propounded. Saad pertains to a technique for identifying the hardware associated

with a cell phone tower. *Saad* at col. 2, lines 15-25. A cellular station that may be associated with a plurality of towers sends a message to one of the cell phone towers. *Saad* at col. 2, lines 15-25. The cell phone tower then identifies hardware associated with the cell phone tower and sends a response back to the cellular station. *Saad* at col. 2, lines 15-25.

Maryka is not even remotely concerned with the problems identified in Saad. Maryka teaches a technique for transferring an application from a server to a computing device. *Maryka* at col. 2, lines 43-52. The server first determines what objects are required for the computing device to receive the application. *Maryka* at col. 4, lines 41-46. The server then transfers the required objects to the computing device. *Maryka* at col. 4, lines 41-46. A person of ordinary skill in the art confronted with the problems associated with identifying hardware on a cell phone tower as exhibited by Saad, would not be disposed on any objective basis to consider a reference such as Maryka, which is entirely unconcerned with the subject. Therefore, applicants assert that the references are not combinable as propounded.

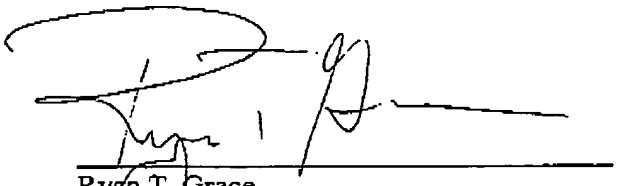
VI. Request For Notice Of Allowance

In view of the foregoing, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

App. No. 09/895,450
Amendment Dated March 14, 2006
Reply to Office Action of December 14, 2005

Respectfully submitted,

MERCHANT & GOULD P.C.



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